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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,404	12/14/2000	Suman Kumar Inala	P3902D1	1791

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CENTRAL COAST PATENT AGENCY
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EXAMINER

HUTTON JR, WILLIAM D

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 02/23/2004

17

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/737,404

Applicant(s)

INALA ET AL.

Examiner

Doug Hutton

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8 January 2004 has been entered.

Applicant's Response

In Paper Nos. 15 and 16, Applicant submitted a Request for Continued Examination, amended Claims 1 and 7, and argued against all objections and rejections previously set forth in Paper No. 14.

Claim Objections

Claim 2 is objected to because of the following informalities:

- the term "intitiation" in Line 2 should be amended to — initiation — because it appears to be a typographic error.

Claim 3 is objected to because of the following informalities:

- the phrase “wherein *the summary searches*” in Line 1 should be amended because no “summary searches” are previously mentioned in the claims.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 and 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nazem et al., U.S. Patent No. 5,983,227, in view of Nehab et al., U.S. Patent No. 6,029,182, Gershman et al., U.S. Patent No. 6,356,905, and Rao, U.S. Patent No. 6,078,929.

Claim 1:

Nazem discloses an Internet Portal (Nazem, Internet 106; Column 2, Lines 52-57), comprising:

- an Internet-connected server (Nazem, a client-server system 100 . . . obtains the page from a page server 104 via Internet 106; Column 2, Lines 51-57 and Figure 1); and

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- a portal software executing on the server (Nazem, Figures 1 and 5, “my.yahoo.com”, a well-known Internet portal), including a summary software agent (Nazem, Column 3, Lines 15-48, when a page server receives the URL . . . it interprets that as a request for the user’s custom summary page).

While teaching “summarizes the retrieved information for delivery to the subscriber” (Nazem, Column 5, Lines 66 through Column 6, Line 12, summaries from each of the major news topics can also be stored in the shared memory and viewed by pressing on the news topic header . . . intelligently display dates 510 customized for a particular user), Nazem fails to expressly disclose maintaining a list of Internet destinations at secure servers, maintaining personal financial accounts for one or more of a plurality of subscribing users, and a summary software agent that automatically logs in to the secure servers on behalf of, and transparent to, the subscribing users at the Portal, retrieves financial information personal to the subscribing users, stores the retrieved financial information at the portal; according to pre-programmed criteria, and summarizes the retrieved information for delivery to the subscribing users.

Nehab teaches the steps of:

- maintaining a list of Internet destinations specifically authorized and specified by a subscribing user (Nehab, Abstract, Lines 1-5, a World Wide Web site data retrieval system . . . stored Web site address information); and
- the summary software agent automatically logs in to the secure server on behalf of, and transparent to the subscribing users, according to data stored for the

subscribing users at the Portal, retrieves financial information personal to the subscribing users, stores the retrieved financial information at the portal; according to pre-programmed criteria, and summarizes the retrieved information for delivery to the subscribing users (Nehab, Abstract, Lines 1-22; Column 3, Lines 15-28 and Lines 50-65; Column 4, Lines 2-12; Column 9, Lines 36-43 and Column 10, Lines 22-28, server retrieves stored personal user profile which includes user defined web site address information, user defined web site command, and user defined formatting command to automatically access, download, extract, and format various web sites into personalized document based on user defined criteria).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the teachings of Nehab and Nazem to summarize the retrieved information from many web sites which are defined and authorized by subscribers, and deliver theses summaries to the subscribers, since it would have provided the capability for searching and obtaining personal information that subscribers need on an Internet server.

However, Nehab does not explicitly disclose personal information is financial information, which is maintained at secure servers.

Gershman teaches Portal server utilize software agents and third party services to respond to customer needs, such a personal news and entertainment, personal shopping, personal finance, personal life insurance, paying bills, etc. (Gershman,

Column 34, Lines 60-63; Column 35, Lines 15-20 and Lines 61-65; Column 57, Lines 5-15 and Lines 29-33). Gershman's teaching of obtaining personal finance and bill payment information online certainly implies the use of secure servers and user authentication.

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined Gershman into Nehab and Nazem to provide financial information personal for subscribers through Portal server, since the subscribers would have received many personal information needs from many services such as personal shopping, personal insurance summary, paying bill, etc. besides personalized newspaper of Nehab.

Further, Rao teaches a server automatically logs in to secure server on behalf of and transparent to a subscribing user by using user ID and password (Rao, Abstract and Column 4, Lines 15-24).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined Rao into Gershman, Nehab and Nazem to allow the summary agent of Nehab to automatically log in to the secure servers, such as financial, credit bill, life insurance servers, on behalf of subscribing users, since the agent would have retrieved personal information needs from many kinds of servers for a subscribing server by using the subscribing user's ID and password that is authorized.

Claim 2:

As indicated in the above discussion, Nazem, Nehab, Gershman and Rao teach the limitations of Claim 1.

Nehab teaches a configuration and initiation interface for a subscriber to set up and start a summary search (Nehab, Column 9, Lines 36-43 and Column 10, Lines 37-44).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the teachings of Nehab with Nazem because it would have provided the capability for facilitating searching and obtaining information from an Internet server.

Claim 3:

As indicated in the above discussion, Nazem, Nehab, Gershman and Rao teach the limitations of Claim 1.

Nehab teaches the summary searches are configured for individual clients as templates stored and retrieved at the Internet-connected server (Nehab, Column 7, Lines 27-34).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the teachings of Nehab with Nazem because it would have provided the capability for facilitating storing and retrieving information from an Internet server.

Claim 4:

As indicated in the above discussion, Nazem, Nehab, Gershman and Rao teach the limitations of Claim 1.

Nehab teaches information retrieved in a summary search is to be retrieved by the subscriber (Nehab, Column 10, Lines 22-36).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the teachings of Nehab with Nazem because it would have provided the capability for users to retrieve a summary search.

Claim 5:

As indicated in the above discussion, Nazem, Nehab, Gershman and Rao teach the limitations of Claim 1.

Nehab teaches information retrieved in a summary search is downloaded immediately to the subscriber (Nehab, Column 10, Lines 22-36).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the teachings of Nehab with Nazem because it would have provided the capability for users to view a summary of the desired information.

Claims 7-11:

These claims are directed to a method for presenting the system of Claims 1-5 and are rejected using the same rationale.

Claims 1-5 and 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nielsen, U.S. Patent No. 6,006,333, in view of Franco et al., U.S. Patent No. 6,687,745.

Claim 1:

Nielsen discloses an Internet Portal, comprising:

- an Internet-connected server (see Figure 1B); and
- a portal software executing on the server (see Column 3, Lines 36-49),

wherein the Portal maintains a list of Internet destinations at secure servers (see element 202, Figure 2) maintaining personal proprietary accounts for each one or more of a plurality of subscribing users (see Column 1, Lines 63-65 – the users subscribe to each of the web sites, and thus information on those web sites is “proprietary” to the users), and the summary software agent automatically logs in to the secure servers on behalf of, and transparent to the subscribing users, according to data stored for the subscribing users at the Portal (see Column 2, Lines 28-24), retrieves information proprietary to each one of the subscribing users (information from web sites is retrieved, and that information is “proprietary” to the users), stores the retrieved information at the Portal (the “retrieved information” is stored at the Portal in that the web sites are stored on servers and displayed on clients), according to pre-programmed criteria.

Nielsen fails to expressly disclose:

- a portal software executing on the server, including a summary software agent,

wherein the Portal maintains a list of Internet destinations that maintain proprietary **financial** accounts for subscribing users, retrieves **financial** information proprietary to each one of the subscribing users, stores the retrieved **financial** information at the Portal, and summarizes the retrieved information for delivery to the subscribing users.

Franco teaches portal software executing on the server (see element 64, Figure 1), including a summary software agent, wherein the portal software maintains proprietary financial accounts for users (see Figure 4A – the software “maintains” “proprietary financial accounts” in that it keeps information about stocks owned by the user), retrieves financial information proprietary to each one of the users (see Figures 2 and 4A – the software “retrieves” “proprietary financial information” in that it displays the user’s stock portfolio and trading orders), and summarizes the retrieved information for delivery to the subscribing users (see Figure 4A – the software “summarizes” the retrieved information in that it displays only those stocks chosen for display by the user) for the purpose of providing links to remotely store information (see Column 4, Lines 25-30).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Internet Portal, disclosed by Nielsen, to include financial information and a summary software agent that summarizes the retrieved information for delivery to the subscribing users, for the purpose of providing links to remotely store information, as taught by Franco.

Claims 2-5:

Nielsen fails to expressly disclose:

- a configuration and initiation interface for a subscriber to set up and start a summary search (see Claim 2);
- summary searches that are configured for individual clients as templates stored and retrieved at the Internet-connected server (see Claim 3);
- information retrieved in a summary search that is retrieved by the subscriber (see Claim 4); and
- information retrieved in a summary search that is downloaded immediately to the subscriber (see Claim 5).

Franco teaches:

- a configuration and initiation interface for a subscriber to set up and start a summary search (see Figures 2 and 4A);
- summary searches that are configured for individual clients as templates stored and retrieved at the Internet-connected server (see Figures 2 and 4A);
- information retrieved in a summary search that is retrieved by the subscriber (the information retrieved in a summary search is retrieved by the subscriber in that the user chooses which stocks for which information is obtained); and
- information retrieved in a summary search that is downloaded immediately to the subscriber (see Figures 2 and 4A),

for the purpose of providing links to remotely store information (see Column 4, Lines 25-30).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Internet Portal, disclosed by Nielsen, to include:

- a configuration and initiation interface for a subscriber to set up and start a summary search;
- summary searches that are configured for individual clients as templates stored and retrieved at the Internet-connected server;
- information retrieved in a summary search that is retrieved by the subscriber; and
- information retrieved in a summary search that is downloaded immediately to the subscriber,

for the purpose of providing links to remotely store information, as taught by Franco.

Claims 7-11:

These claims are directed to a method for presenting the system of Claims 1-5 and are rejected using the same rationale.

Response to Arguments

Applicant's arguments filed 8 January 2004 have been fully considered but they are not persuasive.

Arguments for Claim 1:

Applicant appears to argue that Gershman fails to teach retrieval of **proprietary** financial information. See *Paper No. 16* – Page 5, sixth paragraph through Page 6, first full paragraph.

Examiner disagrees.

The information retrieved by the software in Gershman is “proprietary” in that it uses “trusted” agents that err on the side of privacy of information, rather than on the side of stimulation of commerce (see Column 35, Lines 13-22). Examiner notes that Applicant recognizes that the agents are “trusted” (see *Paper No. 16* – Page 6, first full paragraph, first sentence).

In support of its argument that the retrieved information is not “proprietary,” Applicant states that the “personal” aspects of the system/service relate to the personal information stored in the user’s profile.

Examiner disagrees.

Gershman teaches that third party service providers are utilized to provide services requested by the users and that these services include “personal finance” (see Column 57, Lines 5-15 and Lines 29-33). Online banking services were in existence at the time Applicant’s invention was made, and one of ordinary skill in the art at that time would have realized that Gershman’s “personal finance” included online banking.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Franco et al., U.S. Provisional Patent Application No. 60/153,917; and Sasson, U.S. Patent No. 6,332,161.

If a copy of a provisional application listed on the bottom portion of the accompanying Notice of References Cited (PTO-892) form is not included with this Office action and the PTO-892 has been annotated to indicate that the copy was not readily available, it is because the copy could not be readily obtained when the Office action was mailed. Should applicant desire a copy of such a provisional application, applicant should promptly request the copy from the Office of Public Records (OPR) in accordance with 37 CFR 1.14(a)(1)(iv), paying the required fee under 37 CFR 1.19(b)(1). If a copy is ordered from OPR, the shortened statutory period for reply to this Office action will not be reset under MPEP § 710.06 unless applicant can demonstrate a substantial delay by the Office in fulfilling the order for the copy of the provisional application. Where the applicant has been notified on the PTO-892 that a copy of the provisional application is not readily available, the provision of MPEP § 707.05(a) that a copy of the cited reference will be automatically furnished without charge does not apply.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Doug Hutton whose telephone number is (703) 305-

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1701. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

WDH
February 13, 2004

A handwritten signature in black ink, appearing to read 'H. Herndon', is positioned above the printed name.

**HEATHER HERNDON
SUPERVISORY PATENT EXAMINER
TECH CENTER 2100**